

Draft BSC 1201 - Cinticourt

**UNITED STATES SIXTH CIRCUIT COURT OF APPEALS
UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO**

02 FEB 26 PM 2:02

IN THE MATTER OF:

SECURITY PROCEDURES

General Order No. 00-2

**GENERAL ORDER
Potter Stewart United States Courthouse
100 East Fifth Street
Cincinnati, Ohio 45202**

This order supersedes and replaces all prior orders of this Court on these subjects and establishes the security procedures to screen all persons entering the Potter Stewart United States Courthouse in Cincinnati, Ohio.

SECURITY PROCEDURES

Screening of Persons Entering the Building

1. The United States Marshals Service Court Security Officers shall operate an ~~x-ray machine~~ and a walk-through magnetometer at the public entrances on the first floor of the Potter Stewart United States Courthouse (referred to hereafter as the "facility") for the purpose of screening persons entering the building. All persons and their belongings are subject to search by the United States Marshals Service while in this facility.
2. All employees and persons having business with the Courts or any other offices in this facility shall pass through the walk-through magnetometer for the purpose of detection of firearms, explosives, pepper spray, incendiary devices, knives, or any other item prohibited by law, regulation or court order from introduction into this facility. These persons shall submit to further screening by a United States Marshals Service Court Security Officer if the readings of the magnetometer indicate the presence of metallic substances. This further screening may encompass the removal of all metallic objects on their person, screening by a portable hand held metal detector, or other screening procedures as necessary. Any person refusing to submit to this screening process shall be denied access to this facility.
3. All employees and persons having business with the Courts or any other offices in this facility who are carrying, delivering or otherwise transporting any briefcase, suitcase, package, electronic device (including cell phones, pagers, electronic organizers or portable computers), or any other

Cameras and Recording Devices

1. Except as specifically provided herein, no camera or recording device shall be permitted in this facility.

B. Exceptions. Cameras and/or recording devices may be permitted in this facility under the following circumstances:

1. Recording devices are permitted in the Sixth Circuit Library which is located on the Third Floor. Recording devices must be transported by the most direct route available to and from the Library.
2. Cameras and recording devices are permitted if authorized for a specific occurrence by a Judge of the United States Court of Appeals or a Judge of the United States District Court for the Southern District of Ohio, the Circuit Executive of the Sixth Circuit, the Clerk of the United States Court of Appeals for the Sixth Circuit, or the Clerk of the United States District Court for the Southern District of Ohio or their authorized representatives. The permitting authority shall notify in writing the United States Marshals Service of such authorization.
3. Employees of the United States Courts and the tenant agencies in this facility may possess cameras and recording devices. No recording or pictures may be generated of the court, court hearings or other court functions without specific authorization by a court official (as listed above).
4. The General Service Property Manager or his designee can authorize an individual or contract group to possess a camera or recording device for the purpose of maintaining or enhancing the facility, to include repair and alterations.

Computers, Cellular Phones, Pagers and Related Electronic Equipment

1. The use of portable computers and related electronic equipment in courtrooms and facilities adjacent to courtrooms shall be subject to the specific approval and direction of a judicial officer.
2. The use of cellular phones in chambers or courtrooms or the facilities adjacent to courtrooms (including public hallways) is prohibited unless specifically authorized by a judicial officer.
3. Cellular phones and pagers shall be set in a mode to emit no audible signals while on any of the courtroom floors of this facility.

4. No computer, cellular phone, pager or related electronic equipment shall be used to take photographs or to record any court proceedings.

WEAPONS: Firearms, Knives, Explosives
and other Dangerous Items

Except as specifically provided herein, no person shall possess a weapon in this Facility. It is illegal to possess a firearm or other dangerous weapon in a Federal Building with or without the intent to commit a crime (Title 18, U.S.C. (930 d) and that person is subject to arrest.

Firearms, knives, explosives, and other dangerous weapons shall be prohibited from this Facility and are subject to confiscation by the United States Marshals Service.

1. Employees of the United States Marshals Service, including Court Security Officers, who are authorized by law and agency regulations to carry firearms, may possess firearms within this Facility.
2. Employees of the United States Probation Office, who are authorized by law and agency regulations to carry firearms in the performance of their official duties, may possess firearms in this Facility to the extent necessary to transport such firearms by the most direct route available to and from the offices of the Probation Department. In accordance with regulations of the Probation Department, all firearms shall be secured while present within the offices of the Probation Department. **Chief Probation Officer will notify the United States Marshals Service in writing the officers with the authorization to carry firearms)**
3. U.S. Federal Protective Service Resident Officers (Officers with their specific office located in this Facility) of the General Services Administration, who are authorized by law and agency regulations to carry firearms in the performance of their official duties, may possess firearms in this Facility under the following circumstances:
 - a) While in uniform, these Officers will have access to the basement, and 1st and 2nd floors of this Facility, excluding courtrooms.
 - b) While in plainclothes with a pocket identification, these Officers will have access to the entire Facility, excluding courtrooms.
 - c) While transporting a prisoner to an initial appearance before a Magistrate Judge, the Transporting Officer must notify the U. S. Marshals Service prior to entering this Facility.

4. U.S. Federal Protective Service Contract Officers and other Officers of the General Services Administration, who are authorized by law and agency regulation to carry firearms in the performance of their official duties and are assigned to this Facility, may possess firearms in this Facility (while in uniform) after 5:00 p.m. on weekdays, during weekends and legal holidays, and at any other time when requested by the United States Marshals Service to be in this Facility to assist the U.S. Marshals Service in providing security.

Furthermore, these Contract Officers may possess firearms in this Facility, only to the extent necessary, to transport such firearms by the most direct route available to and from the offices of the U.S. Federal Protective Services on the 2nd floor of this Facility.

5. Agents and inspectors of the federal agencies shown below may be armed only under the following circumstances:

Bureau of Alcohol, Tobacco and Firearms
Customs Service
Defense Criminal Investigative Service
Drug Enforcement Administration
Federal Bureau of Investigation
Federal Protective Service
Immigration and Naturalization Service
Internal Revenue Service, Criminal Investigative Division
Postal Inspection Service
Secret Service

- a) While transporting a defendant/prisoner for an initial appearance before a Magistrate Judge. In such circumstances, a call prior to arrival at the facility must be placed by the agent, inspector or representative of same to the U.S. Marshals Service advising that an armed agent or inspector of that agency will be transporting a prisoner into this Facility. Additional internal policy, developed by the United States Marshals Service, will be required (such as lapel pins, entry log signature, etc...).
- b) Federal Law Enforcement Agents, as listed above, are permitted and authorized to possess a firearm and their authorized equipment in this facility in order to investigate crimes committed in or facilitated by the use of the Potter Stewart United States Courthouse. Absent extenuating circumstances, additional internal policy, developed by the United States Marshals Service, will be required (such as lapel pins, entry log signature, etc...).

6. State and local Law Enforcement Officers shall relinquish their **firearms, ammunition, knives, defensive sprays, and all other item prohibited by law, regulation or court order** upon entry into this Facility. Such firearms will be deposited with the United States Marshals Service in weapons lock boxes maintained by the United States Marshals Service. **The officer will be required to be re-screened for security purposes.**

This policy will be in effect unless authorized otherwise, for a specific occurrence, by the United States Marshal, Chief Deputy United States Marshal, or his designee.

Any person who refuses to abide by this order governing the possession of weapons will not be permitted access to this Facility.

VIOLATIONS

A violation of this court order may be subject to arrest and a violation of a criminal code or Contempt of Court. Additionally, a violation may make the equipment subject to seizure and forfeiture as determined by the presiding Judicial Officer.

UNITED STATES MARSHALS SERVICE'S SECURITY ALERT PLAN

The **USMS SECURITY ALERT PLAN** is divided into five levels. Escalating levels provide additional security requirements designed to supplement security procedures already mandated by USMS policy.

When the USMS Security Alert protocol is activated, the national policy guidelines directing security levels will supercede this court order.

IT IS SO ORDERED.

Dated this 22nd day of February, 2002.

Page 7. Arthur!
Chief Circuit Judge
United States Court of
Appeals for the Sixth
Circuit, Cincinnati Ohio

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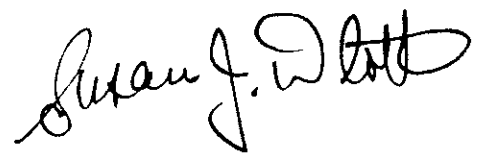
UNITED STATES MARSHALS SERVICE'S SECURITY ALERT PLAN

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IT IS SO ORDERED.

Dated this 13TH day of FEB, 2002.


UNITED STATES DISTRICT
JUDGE

container (hereafter referred to as "carried item") shall surrender such carried item for screening through an x-ray device and/or personal inspection by a Court Security Officer. Any person refusing to submit his or her carried item for screening through an x-ray device and/or personal inspection by a Court Security Officer shall be denied access to this facility. If a Court Security Officer concludes, after x-ray and/or personal inspection, that any item which the person seeks to bring into this facility may contain firearms, explosives, pepper spray, incendiary devices, knives, or any other dangerous item prohibited by law, regulation or court order, this individual is subject to arrest.

1. Exceptions. The following persons shall be exempt from the screening procedures set forth above (with appropriate official identification):

1. Judges of the United States Court of Appeals for the Sixth Circuit; and
2. Judges of the United States District Court for the Southern District of Ohio; and
3. Judges of the United States Magistrate Court for the Southern District of Ohio; and
4. Judges of the United States Bankruptcy Court for the Southern District of Ohio; and
5. Other judges of the United States Courts who are serving by designation or assignment in this facility; and
6. Employees of the United States Marshals Service and employees of contractors of the United States Marshals Service who serve as Court Security Officers who are authorized by law and agency regulations to carry firearms; and
7. Probation Officers who are employed by the United States Probation Office who are authorized by law and agency regulations to carry firearms; and
8. Employees of the United States Federal Protective Service of the General Services Administration who are authorized by law and agency regulations to carry firearms (This does not include private contract guards).

4. No person having authorized access to secure areas after having passed through the screening devices or having authorized access via key, card key or other device, shall permit any unauthorized person access to this facility or to any elevator, locked stairwell door or any other locked door in this facility without proper authorization.

5. Only government employees authorized by their appropriate agency manager and possessing an authorized card key may enter this facility through any locked entrance.